

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION**

RODNEY A. HURDSMAN

PLAINTIFFS

v.

4:15CV00090-KGB-JJV

RODNEY WRIGHT, Sheriff,
Saline County; *et al.*

DEFENDANTS

ORDER

Pending before the Court is Plaintiff's Motion to Compel ("Motion") (Doc. No. 35). Therein, he argues Defendants have failed to adequately answer several of his discovery requests. (*Id.* at ¶ 3.) Defendants have responded (Doc. No. 37) and the Motion is ripe for disposition.

First, Defendants argue the Motion should be denied because Plaintiff did not confer in good faith before filing it. For his part, Plaintiff argues he attempted to reach Defendants' counsel by telephone on the third and fourth days of December. (Doc. No. 35 at ¶ 4.) Defendants' counsel denies receiving those calls. (Doc. No. 37 at 4.) Given this dispute, I will consider the merits of Plaintiff's Motion. In the future Plaintiff should undertake to actually communicate with Defendants' counsel before filing a motion to compel.

Plaintiff argues some of Defendants' responses to his interrogatories were "evasive and incomplete" and many of the interrogatories were not answered at all. (Doc. No. 35 at ¶ 3.) He has failed to specifically identify which interrogatory responses were inadequate, however. Absent this information, I cannot weigh the validity of Defendants' objections. The only specific issue Plaintiff raises is that Defendants have not produced "employment files, and any, and all, other documents" for Defendants Pilgrim, Richards, and Boyett.¹ (*Id.*) Defendants have provided evidence showing

¹The docket currently lists incomplete or incorrect names for each of these Defendants. The Clerk of Court shall be directed to alter it to reflect their proper names.

that the personnel files for each of these Defendants were sent to Plaintiff on November 30, 2015. (Doc. No. 37-5.) Defendants' counsel has also expressed a willingness to resend any documents Plaintiff has not received. (Doc. No. 37-6.) I therefore consider this matter resolved and Plaintiff's Motion will be denied.

IT IS, THEREFORE, ORDERED that:

1. The Clerk of Court shall alter the docket to reflect that Defendant "Richardson" is "Michael Richards"; Defendant "Boyett" is "Timothy Boyett"; and Defendant "Pilgrim" is "Christine Pilgrim."
2. Plaintiff's Motion to Compel (Doc. No. 35) is DENIED.

DATED this 16th day of December, 2015.



JOE J. VOLPE
UNITED STATES MAGISTRATE JUDGE